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July 8, 2014

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: CC Docket No. 95-116; WC Docket No. 07-149; WC Docket No. 09-109

Dear Ms. Dortch:

Neustar, Inc. hereby files this challenge to Ericsson's¹ designation of documents as Confidential or Highly Confidential filed on July 1, 2014 in the above-captioned proceeding. A list of the Ericsson documents subject to challenge is contained in Appendix A.

This proceeding will determine the next Local Number Portability Administrator ("LNPA") for a period scheduled to begin on July 1, 2015. The selection decision will entail significant consequences for consumers, the industry, and for future innovation because the Number Portability Administration Center ("NPAC") plays a foundational role in U.S. telecommunications competition and infrastructure. Because of the importance of the LNPA, Neustar has stressed the need for openness and meaningful public participation. As Neustar has explained, transparency and the opportunity for public participation promise to enhance the quality of the Commission's decision-making process. To that end, Neustar has urged the Commission to make the entire record available to the public.

The Revised Protective Order recognized the need "[t]o ensure that the public has the opportunity for more meaningful participation."² While the Commission was "mindful of the

¹ Telcordia Technologies Inc., d/b/a iconectiv ("Telcordia"), is a part of Ericsson; unless context dictates otherwise, we refer to the entity as "Ericsson."

² *Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, to Institute Competitive Bidding for Number Portability Administration and to End the NAPM LLC's Interim Role in Number Portability Administration Contract; Telephone Number Portability, WC*

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sensitive nature of” competitively sensitive information, the Commission also preserved “the right of the public to participate in this proceeding in a meaningful way.”³ In furtherance of that goal, the Revised Protective Order instructed the parties to be selective in their submission of redacted documents to the Commission:

To the extent that any page of the filing contains both Confidential Information or Highly Confidential Information and non-confidential information, only the Confidential Information and Highly Confidential Information may be redacted and the page of the unredacted filing shall clearly distinguish among the Confidential Information, the Highly Confidential Information and the non-confidential information.⁴

Ericsson failed to heed this instruction in its July 1 filing with the Commission. Ericsson stamped eight documents with the labels “Entire Document Is Highly Confidential” or “Entire Document Is Confidential” without “distinguish[ing] among the Confidential Information, the Highly Confidential Information and the non-confidential information.” See Appendix A. Indeed, Ericsson failed to identify a single page in any of those documents that does not contain Confidential or Highly Confidential Information. It is inconceivable that every word identified by Ericsson is information that cannot be made available for public inspection.

Ericsson’s overly restrictive redactions impede the public’s ability to meaningfully participate in this important proceeding. The Commission should find Ericsson in violation of the Revised Protective Order and direct Ericsson to redact only the information that meets the definitions of Confidential or Highly Confidential Information in the Revised Protective Order. Taking these steps will ensure a meaningful opportunity for the public to present an informed analysis based on a transparent record.

Docket No. 09-109, CC Docket No. 95-116, Revised Protective Order, DA 14-881, ¶ 3 (Wireline Comp. Bur. June 25, 2014).

³ *Id.* ¶ 4.

⁴ *Id.* ¶¶ 8, 15.

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Sincerely,

Aaron M. Panner /by CMW

Aaron M. Panner

cc: John T. Nakahata
Mark D. Davis
Nancy J. Victory

Appendix A

Document Number	Description
T00037-00083	Section 4 – Vendor Performance Audits; RFP_Section 4.3_Business Continuity Plan Requirements
T00032-00036	RF_Section 4.3 Example BCPSG
T00037-00083	RF_Section 4.3 Example BCPTT
T00218-00234	RFP_Section 14.1: Multi-Vendor NPAC-TNS
T10330	RFP_Section 14.2 Allocable Charges (Offer 1of2, Combined)
T10331	RFP_Section 14.2, Allocable Charges (Offer 2of2, Reg Combo)
T10332	RFP_Section 14.3, Direct Charges (Offer 1of2 Combined)
T10333	RFP_Section 14.3, Direct Charges(Offer 2of2, Regional Combination)